



500 E Main Street, Suite 1400
Norfolk, VA 23510
Tel: (757) 904 5373

299 Broadway, Suite 1816
New York, NY 10007
Tel: (212) 548 3212

August 16, 2023

Via ECF

The Honorable Lewis J. Liman
United States District Court
Southern District of New York
Thurgood Marshall Courthouse
500 Pearl St.
New York, New York 10007-1312

Re: Gemini Trust Co., LLC v. Digital Currency Group, Inc., 23-cv-06864 (LJL)

Dear Judge Liman:

We represent Plaintiff Gemini Trust Co., LLC in the above-captioned action. Pursuant to Sections 1.D and 2.K of the Court's Individual Practices in Civil Cases, we write to request (i) a two-week extension of Plaintiff's deadline to amend its Complaint, and (ii) entry of the briefing schedule proposed below for Defendants' motion to dismiss (Dkt. No. 17), which was filed on August 10, 2023. Unless extended, the deadline for Plaintiff to amend its Complaint is August 31, 2023, *see* Fed. R. Civ. P. 15(a)(1)(B), and the deadline for Plaintiff to oppose Defendants' motion to dismiss is August 24, 2023, *see* Local Civil Rule 6.1(b). This is Plaintiff's first request for an extension of time. The parties are not currently scheduled to appear before the Court.

We have conferred with counsel for Defendants, and we are authorized to represent that Defendants consent to entry of the following schedule:

- September 14, 2023 – Deadline for Plaintiff to oppose the motion to dismiss or to amend its Complaint.
- October 5, 2023 – Deadline for Defendants to file their reply in support of any motion to dismiss.

The requested extensions are necessary due to pre-existing professional and personal commitments, and to afford the parties sufficient time to prepare briefing that will assist the Court in its resolution of Defendants' motion to dismiss.

Respectfully submitted,

/s/ John F. Baughman

John F. Baughman
Counsel for Plaintiff

cc: Counsel of Record (by ECF)